

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

United States of America

v.

D'Avonte WOFFORD

*Defendant(s)*

Case No. 1:20-mj-

96

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 28, 2020, in the county of Hamilton in the  
Eastern District of Tennessee, the defendant(s) violated:

*Code Section*

18 § 922(g)(3)

*Offense Description*

Possession of a Firearm by an Unlawful User of Controlled Substances

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

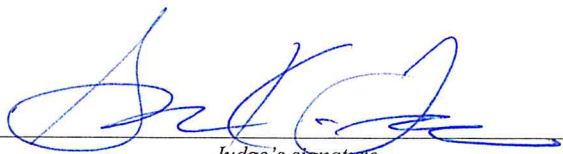
  
*Complainant's signature*

Adam Baldwin, Special Agent, ATF

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 07/29/2020

  
*Judge's signature*

City and state: Chattanooga, Tennessee

SUSAN K. LEE, U.S. Magistrate Judge

*Printed name and title*

**This second page contains personal identifiers provided for law-enforcement use only  
and therefore should not be filed in court with the executed warrant unless under seal.**

*(Not for Public Disclosure)*

Name of defendant/offender: D'Avonte WOFFORD

Known aliases: \_\_\_\_\_

Last known residence: \_\_\_\_\_

Prior addresses to which defendant/offender may still have ties: \_\_\_\_\_

Last known employment: \_\_\_\_\_

Last known telephone numbers: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Social Security number: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Sex: Male Race: Black

Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_

Scars, tattoos, other distinguishing marks: \_\_\_\_\_

History of violence, weapons, drug use: \_\_\_\_\_

Known family, friends, and other associates *(name, relation, address, phone number)*: \_\_\_\_\_

FBI number: \_\_\_\_\_

Complete description of auto: \_\_\_\_\_

Investigative agency and address: Adam Baldwin, Special Agent, ATF

Name and telephone numbers (office and cell) of pretrial services or probation officer *(if applicable)*: \_\_\_\_\_

Date of last contact with pretrial services or probation officer *(if applicable)*: \_\_\_\_\_

**AFFIDAVIT IN**  
**SUPPORT OF A COMPLAINT**

This Affiant, Adam Baldwin, Special Agent, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, states the following:

1. I, Adam Baldwin, am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since August 2014. In addition to my employment with ATF, I have over three years of law enforcement experience with the Pentagon Force Protection Agency (PFPA). During my tenure with PFPA, I served two years as a police officer in multiple capacities, to include patrol, surveillance detection, and as a law enforcement liaison to the Director of PFPA. I additionally served approximately one year as a special agent with PFPA, conducting complex criminal and protective intelligence investigations, as well as conducting domestic and international protective missions. I am a graduate of the Federal Law Enforcement Training Center (FLETC) Uniformed Police Training Program (UPTP), Criminal Investigator Training Program (CITP), and the ATF Special Agent Basic Training (SABT) Program. I have received specialized training with respect to narcotics and firearms violations and have been involved in numerous investigations involving violent crimes and the seizure of firearms and controlled substances. I also have a Bachelor of Science in Criminal Justice from East Tennessee State University, and a Master of Science in Criminal Justice from The University of Tennessee at Chattanooga.

2. Based on the facts set forth in this affidavit, there is probable cause to believe that D'Avonte WOFFORD committed a violation of Title 18, United States Code, Section 922(g)(3).
3. On July 28, 2020, members of the Chattanooga Police Department (CPD), the East Ridge Police Department (ERPD), the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and United States Marshals Service (USMS) conducted a surveillance operation in Chattanooga, Tennessee in an attempt to locate Eric WOODS, who has active felony warrants and is suspected of being involved in multiple gang-related shootings in the Chattanooga, Tennessee area. While on surveillance, law enforcement identified a maroon Volkswagen Passat known by law enforcement to be used by WOODS and one of his associates, D'Avonte WOFFORD, at 950 Spring Creek Road in Chattanooga, Tennessee. According to CPD, WOODS and WOFFORD fled from police in the vehicle on July 23, 2020, following an attempted traffic stop in Chattanooga, Tennessee. While conducting surveillance on the vehicle, law enforcement observed an individual matching the description of WOODS exit Apartment # 123 and depart the apartment complex in the Passat. The vehicle was located a short time later at an apartment complex located at 1803 Bailey Avenue in Chattanooga, Tennessee.
4. Once the vehicle was located, law enforcement conducted surveillance in the area in an attempt to locate WOODS. During the surveillance operation, law enforcement observed a high amount of short-term traffic coming and going from the residence where the vehicle was parked. Your Affiant knows, based on training and experience, such activity is consistent with narcotics transactions. Furthermore, law enforcement



additionally observed WOFFORD exit the residence, conduct a sale of marijuana in the parking lot, then return to the residence. Law enforcement confirmed their observations by conducting a traffic stop of the individual that conducted the transaction with WOFFORD, who confirmed WOFFORD sold them marijuana. Law enforcement also recovered the marijuana.

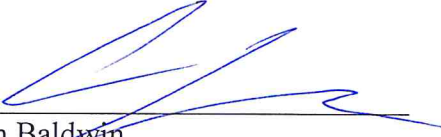
5. A short time later, a black male, matching the description of WOODS, exited the residence and entered the Passat. Law enforcement attempted to make contact with the occupant of the vehicle in the parking lot, but the vehicle eluded law enforcement and exited the apartment parking lot at a high rate of speed. CPD officers and Hamilton County Sheriff's Office (HSCO) officers in marked police vehicles, with emergency equipment activated, subsequently pursued the vehicle, which was able to evade police.
6. The vehicle was located a short time later back at 950 Spring Creek Road in Chattanooga, Tennessee. Due to the individual matching the description of WOODS being observed exiting Apartment # 123 earlier the same day, law enforcement surrounded the apartment, knocked on the door and announced loudly "police," and requested the occupants to come to the door. After several minutes, WOFFORD exited the apartment. During a security sweep of the apartment for additional individuals, law enforcement observed marijuana in plain vehicle on a table in the living room. Law enforcement also smelled marijuana emanating from the residence.
7. A search warrant was subsequently obtained by ERPD detectives for the residence. During the execution of the warrant, law enforcement recovered a bag containing two AR-style pistols, described as a Make: Springfield; Model: Saint; Caliber .223; S/N

ST156667, and a Make: Anderson Arms; Model: AM15; Caliber: Multi; S/N 19247948. The bag also contained a high-capacity drum magazine loaded with .223/5.56x45 caliber ammunition, a loaded 40 round rifle magazine, and loose ammunition. In addition to the firearms and ammunition, law enforcement recovered approximately 5.4 grams of marijuana in a clear plastic baggie, a large digital scale containing a green, leafy substance consistent with marijuana residue, and empty clear sandwich baggies.

8. WOFFORD was subsequently advised of his *Miranda* Rights by your Affiant. WOFFORD knowingly and voluntarily waived those rights. When questioned about the firearms recovered from the residence, WOFFORD claimed ownership of the Make: Anderson Arms; Model: AM15; Caliber: Multi; S/N 19247948 and confirmed he was aware two firearms were in the residence, but he denied ownership of the other firearm. According to WOFFORD, he purchased the Anderson Arms AR-style pistol several weeks prior at a gun show in East Ridge, Tennessee. WOFFORD described the transaction as an “under the table” deal and said that the person that sold him the firearm did not conduct a background check. WOFFORD additionally admitted to smoking marijuana every day for the past two years. When asked if he sold marijuana, WOFFORD stated that he is a “penny pincher,” and that he primarily smokes marijuana and only sells small amounts. WOFFORD stated he last smoked marijuana earlier the same day.
9. Based on my training and experience, I am aware that the Anderson Arms AR-style pistol, which WOFFORD admitted to possessing, was not manufactured in the State of Tennessee and therefore, at some point, did travel in and affect interstate commerce. I

am further aware that marijuana is a Schedule I controlled substance as defined in Title 21, United States Code, Section 802.

10. Based upon the foregoing, affiant submits there is probable cause to charge and arrest D'Avonte WOFFORD for being an unlawful user of controlled substances in possession of a firearm, in violation of Title 18, United States Code Section 922(g)(3).

  
\_\_\_\_\_  
Adam Baldwin  
ATF Special Agent

Sworn to and subscribed before me  
this 29 day of July, 2020.

  
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Susan K. Lee  
United States Magistrate Judge